

**IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH,
CENTRAL DIVISION**

JAMES L. DRIESSEN, and MARGUERITE A. DRIESSEN., Plaintiffs and Counterclaim Defendants, vs. SONY BMG , et al. Defendants and Counterclaim Plaintiffs.	ORDER DENYING MOTION FOR ADR Case No. 2:09-cv-140 Judge Clark Waddoups Magistrate Judge Brooke Wells
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Before the court are Plaintiffs James and Margurite Driessen’s Motion for ADR.¹ As noted by Plaintiffs, Local Rule 16-2(e) provides that “Referral into the court’s ADR program will be made by order of the district, bankruptcy, or magistrate judge.”² The rule goes on to provide that referrals to mediation or arbitration are done after consulting with the parties.³

In response to Plaintiffs’ motion Defendants state that while they “are enthusiastic about ADR generally, at this time, ADR is not appropriate in this case.”⁴ But, “ADR may be appropriate at a later date after the case is more fully developed.” The court agrees. Now is not the appropriate time for a referral to the court’s ADR program. Accordingly, it is therefore

ORDERED that Plaintiffs’ Motion for ADR is DENIED.

¹ Docket no. 77.

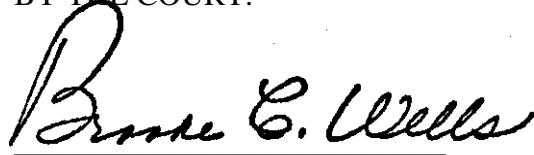
² DUCivR 16-2(e) (2009).

³ *See id.*

⁴ Op. p. 2.

DATED this 13th day of October, 2010.

BY THE COURT:

A handwritten signature in black ink, reading "Brooke E. Wells". The signature is written in a cursive style with a large initial "B".

Magistrate Judge Brooke Wells